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To:	Commissioner of Patents ATTN: MAINTENANCE FEE BRANCH	From:	Jeanette S. Harms, Esq.
Fax:	(571) 273-6500	Pages:	4 (including Fax coversheet)
Phone:		Date:	March 7, 2009
Re:	Serial No.: 09/925978 Filing Date: August 9, 2001 Patent No.: 6,940,865 Granted: September 6, 2005 Assignee: Atheros Communications, Inc. Atty. Dkt. No.: ATH-0036		

☐ Urgent
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• **Comments:**

FOLLOWING IS:

Maintenance Fee Transmittal Form;
 copy of Maintenance Fee Statement; and
 Notification of Loss of Status as Small Entity

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MAINTENANCE FEE TRANSMITTAL FORM
(Do not submit this form electronically via EFS-Web)Address to:
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CERTIFICATE OF TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being transmitted by facsimile to the Patent and Trademark Office.

Date: 3/7/09

Signature: Carrie Reddick

Carrie Reddick


Enclosed herewith is the payment of the maintenance fee for the listed patent.

- ☐ A check for the amount of \$ for the full payment of the maintenance fee(s) and any necessary surcharge is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ A payment of \$490.00 was made March 7, 2009 by credit card online. A copy of the Maintenance Fee Statement showing this payment is enclosed with this fax communication as proof. The undersigned did not realize that the PTO records showed the Patent Owner as a small entity. Thus, Applicant is paying an additional \$490.00 and asserting large entity status pursuant to the Notification included with this fax communication.
- ☒ The Director is hereby authorized to charge \$490.00 to cover the payment of the additional fee indicated below to Deposit Account No: 50-0574 (Atty. Docket No: ATH-0036).

Item	Patent Number*	U.S. Application Number* [e.g., 06/555,555]	Maintenance Fee Amount (37 CFR 1.20 (e)-(g))	Amount Previously Paid Column 4	Payment Year (select one below) Column 5		
					3.5 yrs	7.5 yrs	11.5 yrs
1	6940865	09/925978	980.00	490.00	X		
2							
3							
4							
490.00 Subtract Columns 3 & 4			980.00	490.00			
Total Payment			490.00				

☐ additional sheets attached for listing additional patents.

Respectfully submitted,**

Date: March 7, 2009 Signature: 

Jeanette S. Harms, Reg. No. 35,537

Bever, Hoffman & Harms, LLP

Customer No.: 30547

Telephone: (408) 451-5907

Note: All correspondence will be forwarded to the "Fee Address" or to the "Correspondence Address" if no "Fee Address" has been provided. See 37 CFR 1.363.

Payment of small entity fee is appropriate if small entity status still exists, see 37 CFR 1.27(g). To establish small entity status or to change status from small to large entity, note the requirements of 37 CFR 1.27 and 1.33 (b).

**WHERE MAINTENANCE FEE PAYMENTS ARE TO BE MADE BY AUTHORIZATION TO CHARGE A DEPOSIT ACCOUNT, BOTH CUSTOMER'S NAME AND SIGNATURE ARE REQUIRED.

This collection of information is required by 37 CFR 1.360. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS: SEND TO: United States Patent and Trademark Office, P.O. Box 979070, St. Louis, MO 63197-9000.

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Pillsbury Winthrop LLP
Intellectual Property Group
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McLean VA 22102

MAINTENANCE FEE STATEMENT

According to the records of the U.S. Patent and Trademark Office (USPTO), the maintenance fee and any necessary surcharge have been timely paid for the patent listed below. The "PYMT DATE" column indicates the payment date (i.e., the date the payment was filed).

The payment shown below is subject to actual collection. If the payment is refused or charged back by a financial institution, the payment will be void and the maintenance fee and any necessary surcharge unpaid.

Direct any questions about this statement to: Mail Stop M Correspondence, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450.

PATENT NUMBER	FEE AMT	SUR CHARGE	PYMT DATE	U.S. APPLICATION NUMBER	PATENT ISSUE DATE	APPL FILING DATE	PAYMENT YEAR	SMALL ENTITY?	ATTY DKT NUMBER
6,940,865	\$490.00	\$0.00	03/07/09	09/925,978	09/06/05	08/09/01	04	YES NO	ATH-0036

Docket No. ATH-0036

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**RECEIVED**

MAR 11 2009

OFFICE OF PETITIONS

Applicant: Jeffrey S. Kuskin et al.

Assignee: Atheros Communications, Inc.

Title: "System And Method For Interleaving Frames With Different Priorities"

Serial No. 09/925,978

File Date: 08/09/2001

Patent No. 6,940,865

Issue Date: 09/06/2005

Via Facsimile 571-273-6500

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**NOTIFICATION OF LOSS OF STATUS AS SMALL ENTITY
(37 C.F.R. § 1.27(g)(2))**

1. Applicant asserted small entity status in this application at the time of filing the application.
2. Applicant hereby notifies the Office, in accordance with the requirements of 37 C.F.R. § 1.27(g)(2), that it no longer has status as a small entity.

Date: March 7, 2009
Signature: Jeanette S. HarmsBever, Hoffman & Harms, LLP
2099 Gateway Place, Suite 320
San Jose, CA 95110

Practitioner of record § 34(b)

Registration No: 35,537

Tel. No.: 1-408-451-5907

Customer no. 30547

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Carrie Reddick